



remy green <remy@femmelaw.com>

In re: New York City Policing - Proposed Letter Motion under ECF 317

Weiss, Dara (Law) <daweiss@law.nyc.gov>

Tue, Dec 7, 2021 at 1:09 PM

To: remy green <remy@femmelaw.com>

Cc: Sow-Legal <Sow-Legal@blhny.com>, AG-NYPDLitigation <AG.NYPDLitigation@ag.ny.gov>, Wood <wood@klflaw.com>, Andrew Stoll <astoll@stollglickman.com>, Payne Litigation Team <PayneLitigationTeam@nyclu.org>, Gray Legal Team-External <GrayLegalTeam@dwt.com>, Sierra Team <SierraTeam@moskovitzlaw.com>, "Nelson, Genevieve (Law)" <gnelson@law.nyc.gov>, "Weng, Jenny (Law)" <jweng@law.nyc.gov>, "Robinson, Amy (LAW)" <arobinso@law.nyc.gov>

Agreed.

From: remy green <remy@femmelaw.com>

Sent: Tuesday, December 7, 2021 11:04 AM

To: Weiss, Dara (Law) <daweiss@law.nyc.gov>

Cc: Sow-Legal <Sow-Legal@blhny.com>; AG-NYPDLitigation <AG.NYPDLitigation@ag.ny.gov>; Wood <wood@klflaw.com>; Andrew Stoll <astoll@stollglickman.com>; Payne Litigation Team <PayneLitigationTeam@nyclu.org>; Gray Legal Team-External <GrayLegalTeam@dwt.com>; Sierra Team <SierraTeam@moskovitzlaw.com>; Nelson, Genevieve (Law) <gnelson@law.nyc.gov>; Weng, Jenny (Law) <jweng@law.nyc.gov>; Robinson, Amy (LAW) <arobinso@law.nyc.gov>

Subject: Re: [EXTERNAL] In re: New York City Policing - Proposed Letter Motion under ECF 317

Hi Dara,

We can live with this assuming the following: Defendants are committing to have completed what they believe, in good faith, is their full production, objections, and privilege log on this 30 days from November 30 (that is, by December 30). Defendants understand that if they miss this deadline, and do not have those documents to Plaintiffs by the time higher-level depositions start, Plaintiffs will be calling those witnesses back.

Please let me know if that is our shared understanding. If not, we will need to go to the Court to get the deadline ordered. Finally, to the extent you are suggesting you will be delaying the privilege log, we are not waiving anything under Judge Gorenstein's order stating you're required to serve a privilege log with any production.

Yours,

Remy.

J. Remy Green

Partner

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1639 Centre St., Ste. 216	Ridgewood (Queens), NY 11385



On Thu, Dec 2, 2021 at 8:43 AM Weiss, Dara (Law) <daweiss@law.nyc.gov> wrote:

Remy,

By stating defendants will provide more robust responses (not “robust objections,” as you state below) we mean that within 30 days we will in fact provide responsive documents to the extent they exist and are not otherwise objected to, revised objections to more thoroughly comply with the 2015 amendments, and a privilege log either contemporaneously or nearly-contemporaneous with the production.

Defendants will not, however, agree to enter into a so-ordered stipulation. If the deadline is not complied with (or extended upon consent or court order), plaintiffs can then apply for any relief they may deem proper.

Best,

Dara

Dara L. Weiss

Senior Counsel

New York City Law Department

Special Federal Litigation

100 Church Street

New York, New York 10007

(212)356-3517

daweiss@law.nyc.gov

From: remy green <remy@femmelaw.com>

Sent: Tuesday, November 30, 2021 5:51 PM

To: Weiss, Dara (Law) <daweiss@law.nyc.gov>

Cc: Sow-Legal <Sow-Legal@blhny.com>; AG-NYPDLitigation <AG.NYPDLitigation@ag.ny.gov>; Wood <wood@klflaw.com>; Andrew Stoll <astoll@stollglickman.com>; Payne Litigation Team <PayneLitigationTeam@nyclu.org>; Gray Legal Team-External <GrayLegalTeam@dwt.com>; Sierra Team <SierraTeam@moskovitzlaw.com>; Nelson, Genevieve (Law) <gnelson@law.nyc.gov>; Weng, Jenny (Law) <jweng@law.nyc.gov>; Robinson, Amy (LAW) <arobinso@law.nyc.gov>

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Hi Dara,

Given the history here, we need a more concrete response. And just saying, in essence, "we'll give you more robust objections" isn't enough.

To clarify, we're asking for three things here: responses that comport with the 2015 amendments (e.g., that state whether objections are the basis for withholding, that state what you're giving us, that actually explain any claims of burden with specificity); a *complete* production of documents; and a privilege log (as the Court has now ordered you to provide alongside each production). Are you proposing that you will give us *all three* in 30 days? If so -- and if you're willing to commemorate that commitment in a stipulation to be so ordered -- we are okay with that. If not, we can't accept yet another promise we'll get it "soon."

Assuming you're amenable to this, I will put together a stipulation to be so ordered -- please let me know before the end of the day tomorrow.

Yours,

remy.

J. Remy Green

Partner

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On Tue, Nov 30, 2021 at 1:35 PM Weiss, Dara (Law) <daweiss@law.nyc.gov> wrote:

Hi Remy,

We are not available to meet and confer today, but have re-assigned this project to a new team member and we will have more robust responses within 30 days.

Best,

Dara

From: remy green <remy@femmelaw.com>

Sent: Monday, November 29, 2021 5:04 PM

To: Weiss, Dara (Law) <daweiss@law.nyc.gov>

Cc: Sow-Legal <Sow-Legal@blhny.com>; AG-NYPDLitigation <AG.NYPDLitigation@ag.ny.gov>; Wood <wood@klflaw.com>; Andrew Stoll <astoll@stollglickman.com>; Payne Litigation Team <PayneLitigationTeam@nyclu.org>; Gray Legal Team-External <GrayLegalTeam@dwt.com>; Sierra Team

<SierraTeam@moskovitzlaw.com>

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Hi Dara,

Please find attached a draft letter we intend to file tomorrow (after 24 hours have passed from this email). You had said at our last meet and confer that you would provide an update on who was addressing this issue, but have not. If it is not you, please forward it to the appropriate member of your team.

Please advise as soon as you can if you would like "an additional conference" on these issues during the next 24 hours, and if so, when "[d]uring the intervening period" (e.g., before ~5 pm tomorrow) you would like to meet.

Yours,

Remy.

J. Remy Green

Partner

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C&G
